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Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB21 (6-98)



TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	09/810,374
Filing Date	March 15, 2001
First Named Inventor	Walter Winkler
Group Art Unit	3652
Examiner Name	Charles A. Fox
Attorney Docket No.	1020843-991180

Total Number of Pages in This Submission

7

<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request (1 pg.)	<input type="checkbox"/> Associate Power of Attorney,	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Information Disclosure Statement with PTO Form-1449 (3 pgs.); IDS References: 5 U.S. patents; Fee Transmittal; Check No. 524790 for \$180.00; Certificate of Mailing (1 pg.); and Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement w/Information Disclosure Citation (3 pgs.)	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Kieun Jenny Sung (Reg. No.48,639) Gray Cary Ware Freidenrich LLP	
Signature		26379
Date	December 5, 2002	PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

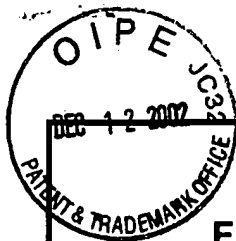
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Typed or printed name	Cathy Pittman	Signature		Date	December 5, 2002
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GROUP 3600



PTO/SB/17 (10-01)

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$180.00)**Complete if Known**

Application Number	09/810,374
Filing Date	March 15, 2001
First Named Inventor	Walter Winkler
Examiner Name	Charles A. Fox
Group Art Unit	3652
Attorney Docket No.	1020843-991180

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 07-1896
- Deposit Account Name: Gray Cary Ware & Freidenrich
- ☒ Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ **Payment Enclosed:**
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	** =	X	=
Independent Claims	-3 =	X	=
Multiple Dependent	X	=	=

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	80	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	180
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)**SUBMITTED BY**

Name (Print/Type)

Kieun Jenny Sung

Registration No.
(Attorney/Agent)

48,639

Complete (if applicable)

Telephone

650-320-7536

Signature

Date

December 5, 2002



26379

PATENT TRADEMARK OFFICE

Gray Cary/EM/7129128.1
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DATE OF DEPOSIT: December 5, 2002

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Cathy Pittman

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:



26379

PATENT TRADEMARK OFFICE

Transmitted herewith for filing for:

U.S. Utility Patent Application S/N:	09/810,374 for:
Title:	"PICKING APPARATUS"
FILED:	March 15, 2001
INVENTOR(s):	Walter Winkler
Examiner:	Charles A. Fox
Group Art Unit:	3652

Enclosed are:

1. Transmittal Form (1 pg.);
2. Information Disclosure Statement with PTO Form 1449 (3 pgs.);
3. Information Disclosure References: 3 U.S. Patents;
4. Fee Transmittal (1 pg.);
5. Check # 524790 for \$180.00;
6. Certificate of First Class Mailing (1 pg.); and
7. Return postcard.

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GROUP 3600



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PATENT, TRADEMARK OFFICE

Attorney Docket No.: 1020843-991180

AED
12/17/02
#11**INFORMATION DISCLOSURE
STATEMENT**

Applicant:	Walter Winkler
Application No.	09/810,374
Filed:	March 15, 2001
For:	PICKING APPARATUS
Group Art Unit:	3652
Examiner:	Charles A. Fox
Attorney Docket No.:	1020843-991180

GROUP 3600

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☒ after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, **OR**
- (d) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (f) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (g) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed

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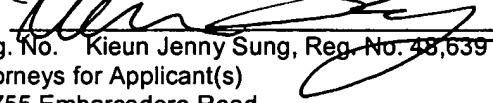
Gray Cary\EM\7119516.1
1020843-991180

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: December 5, 2002

GRAY CARY WARE & FREIDENRICH LLP

By: 
Reg. No. Kieun Jenny Sung, Reg. No. 48,639
Attorneys for Applicant(s)
1755 Embarcadero Road
Palo Alto, CA 94304
650-320-7536

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December 5, 2002
Date


Cathy Pittman